

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER
AUTHORITY (“PREPA”)

Debtor.²

PROMESA

Title III

No. 17 BK 4780-LTS

(Joint Administration Requested)

**URGENT INFORMATIVE MOTION REGARDING HURRICANE IRMA AND
RESERVATION OF RIGHTS WITH RESPECT TO UPCOMING DEADLINES**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), through its undersigned counsel, hereby states as follows.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² The last four (4) digits of PREPA’s federal tax identification number are 3747.

1. AAFAF hereby respectfully submits this Informative Motion regarding Hurricane Irma and reservation of rights with respect to all upcoming deadlines in the above-captioned Title III cases.

2. On September 5, 2017, Hurricane Irma reached Category 5 intensity and “the extremely dangerous core of Irma will . . . pass near or just north of Puerto Rico.” See HURRICANE IRMA PUBLIC ADVISORY, NATIONAL HURRICANE CENTER (2001), attached hereto as **Exhibit A**. On September 6, 2017, the National Hurricane Center reported that Hurricane Irma became one of the strongest hurricanes ever recorded in the Atlantic. See NATIONAL HURRICANE CENTER (2001), <http://www.nhc.noaa.gov/> (last visited Sep 6, 2017).

3. Due to the projected passage of Hurricane Irma through Puerto Rico, the Governor of Puerto Rico, Ricardo Rosselló, requested the President of the United States, Donald Trump, declare a state of emergency for the island, which was approved on September 5, 2017. See President Donald J. Trump Approves Puerto Rico Emergency Declaration, THE WHITE HOUSE (2017), <https://www.whitehouse.gov/the-press-office/2017/09/05/president-donald-j-trump-approves-puerto-rico-emergency-declaration> (last visited Sep 6, 2017).

4. To this end, on September 5, 2017, Governor Rosselló announced that the National Guard and the Puerto Rico Police would begin to evacuate many flood-prone areas for the purpose of safeguarding the lives of the residents of these zones. See Governor Rosselló Gives Updates on Preparations for Hurricane Irma, LA FORTALEZA, <http://www.fortaleza.pr.gov/content/governor-rossell-gives-updates-preparations-hurricane-irma> (last visited Sep 6, 2017). Additionally, the Federal Emergency Management Agency has over 500 officials in Puerto Rico, a medical team, and search and rescue team to collaborate with the Government of Puerto Rico and is ready to respond to emergencies in connection with Hurricane

Irma. Id. The Puerto Rico State Agency for Emergency and Disaster Management also reported that the Emergency Operations Center would be activated at noon on September 6, 2017. Id.

5. Executive Director of the Puerto Rico Electric Power Authority, Ricardo L. Ramos Rodriguez, predicted that damage from Hurricane Irma could leave some areas without electricity for four to six months, while “some areas will have power [back] in less than a week.” See Where Is Hurricane Irma Headed? Storm Path and Forecast, TIME, <http://time.com/4926490/hurricane-irma-path-forecast/> (last visited Sep 6, 2017).

6. In anticipation of Hurricane Irma’s landfall, Governor Rosselló announced that the Government of Puerto Rico would work until noon on September 6, 2017, and would put into action the plans for the protection of public property and governmental facilities. Governmental and public facilities will be closed beginning on September 6, 2017, until further notice, including Puerto Rico’s schools, governmental utility providers, and other facilities. See Governor Rosselló Gives Updates on Preparations for Hurricane Irma, LA FORTALEZA, <http://www.fortaleza.pr.gov/content/governor-rossell-gives-updates-preparations-hurricane-irma> (last visited Sep 6, 2017). Further, on September 5, 2017, the United States District Court for the District of Puerto Rico closed in anticipation of Hurricane Irma’s landfall and will not reopen until further notice. See CM/ECF LIVE - U.S. DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO-UNITED STATES DISTRICT COURT, <https://ecf.prd.uscourts.gov/cgi-bin/ShowIndex.pl> (last visited Sep 6, 2017).

7. On September 6, 2017, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) issued a press release regarding Hurricane Irma, stating that the board is working “closely” with Governor Rosselló to coordinate support for Puerto Rico in the aftermath of the storm. Oversight Board Executive Director Natalie Jaresko also said the

Oversight Board has “reached out to the federal government to activate Title V of PROMESA, which allows the Oversight Board to work with agencies to accelerate the deployment of grants and loans following a disaster.” See Press Release: Oversight Board Statement On Hurricane Irma, THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO (2017), attached hereto as **Exhibit B**.

8. Leading up to Hurricane Irma’s landfall, AAFAF discussed the potential implications of Hurricane Irma with many key stakeholders in these Title III cases, all of whom have been cooperative, courteous, and concerned with the safety and well-being of people in Puerto Rico, which AAFAF and its counsel appreciates. In light of unfolding circumstances that could have not been foreseen and the consequences of which still cannot be fully projected, AAFAF hereby reserves all rights (retroactive to September 4, 2017) with respect to all deadlines in these Title III cases, including seeking extensions of such deadlines without prejudice to AAFAF’s rights to seek further extensions.

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Dated: September 6, 2017
New York, New York

Respectfully submitted,

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Exhibit A

Hurricane Irma Public Advisory



NATIONAL HURRICANE CENTER

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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ZCZC MIATCPAT1 ALL
TTAA00 KNHC DDHHMM

BULLETIN

Hurricane Irma Intermediate Advisory Number 30A
NWS National Hurricane Center Miami FL AL112017
200 PM AST Wed Sep 06 2017

...EXTREMELY DANGEROUS CORE OF CATEGORY 5 HURRICANE IRMA PASSING
OVER THE NORTHERMOST VIRGIN ISLANDS...

SUMMARY OF 200 PM AST...1800 UTC...INFORMATION

LOCATION...18.5N 64.7W
ABOUT 20 MI...35 KM ENE OF ST. THOMAS
ABOUT 90 MI...150 KM E OF SAN JUAN PUERTO RICO
MAXIMUM SUSTAINED WINDS...185 MPH...295 KM/H
PRESENT MOVEMENT...WNW OR 285 DEGREES AT 16 MPH...26 KM/H
MINIMUM CENTRAL PRESSURE...920 MB...27.17 INCHES

WATCHES AND WARNINGS

CHANGES WITH THIS ADVISORY:

The government of Curacao on behalf of Sint Maartin has discontinued the Hurricane Warning for Sint Maartin.

The government of Antigua has discontinued the Hurricane warning for Anguilla.

SUMMARY OF WATCHES AND WARNINGS IN EFFECT:

A Hurricane Warning is in effect for...

- * Saint Martin and Saint Barthelemy
- * British Virgin Islands
- * U.S. Virgin Islands
- * Puerto Rico, Vieques, and Culebra
- * Dominican Republic from Cabo Engano to the northern border with Haiti
- * Haiti from the northern border with the Dominican Republic to Le Mole St. Nicholas
- * Southeastern Bahamas and the Turks and Caicos Islands

A Hurricane Watch is in effect for...

- * Cuba from Matanzas province eastward to Guantanamo province
- * Central Bahamas

A Tropical Storm Warning is in effect for...

- * Dominican Republic from south of Cabo Engano westward to the southern border with Haiti
- * Haiti from south of Le Mole St. Nicholas to Port-Au-Prince

A Hurricane Warning means that hurricane conditions are expected somewhere within the warning area. Preparations to protect life and property should be rushed to completion.

A Hurricane Watch means that hurricane conditions are possible within the watch area. A watch is typically issued 48 hours

before the anticipated first occurrence of tropical storm-force winds, conditions that make outside preparations difficult or dangerous.

A Tropical Storm Warning means that tropical storm conditions are expected somewhere within the warning area.

Interests elsewhere in the Dominican Republic and Haiti, as well as Cuba, the northwestern Bahamas, and Florida should monitor the progress of Irma.

For storm information specific to your area in the United States, including possible inland watches and warnings, please monitor products issued by your local National Weather Service forecast office. For storm information specific to your area outside the United States, please monitor products issued by your national meteorological service.

DISCUSSION AND 48-HOUR OUTLOOK

At 200 PM AST (1800 UTC), the eye of Hurricane Irma was located near latitude 18.5 North, longitude 64.7 West. Irma is moving toward the west-northwest near 16 mph (26 km/h), and this general motion is expected to continue for the next couple of days. On the forecast track, the extremely dangerous core of Irma will continue to move over portions of the Virgin Islands during the next couple of hours, pass near or just north of Puerto Rico this afternoon or tonight, pass near or just north of the coast of the Dominican Republic Thursday, and be near the Turks and Caicos and southeastern Bahamas late Thursday.

Maximum sustained winds are near 185 mph (295 km/h) with higher gusts. Irma is a category 5 hurricane on the Saffir-Simpson Hurricane Wind Scale. Some fluctuations in intensity are likely during the next day or two, but Irma is forecast to remain a powerful category 4 or 5 hurricane during the next couple of days. An unofficial observation on Buck Island in the U.S. Virgin Islands has recently reported sustained winds of 106 mph (171 km/h) with a gust to 131 mph (211 km/h).

Hurricane-force winds extend outward up to 50 miles (85 km) from the center and tropical-storm-force winds extend outward up to 185 miles (295 km).

The latest estimated minimum central pressure from reconnaissance datat is 920 mb (27.17 inches).

HAZARDS AFFECTING LAND

STORM SURGE: The combination of a life-threatening storm surge and large breaking waves will raise water levels ABOVE NORMAL TIDE LEVELS by the following amounts within the hurricane warning area near and to the north of the center of Irma. Near the coast, the surge will be accompanied by large and destructive waves.

Northern Leeward Islands...7 to 11 ft
 Turks and Caicos Islands...15 to 20 ft
 Southeastern Bahamas...15 to 20 ft
 Northern coast of the Dominican Republic...3 to 5 ft
 Northern coast of Haiti and the Gulf of Gonave...1 to 3 ft

The combination of a life-threatening storm surge and the tide will cause normally dry areas near the coast to be flooded by rising waters moving inland from the shoreline. The water is expected to reach the following HEIGHTS ABOVE GROUND if the peak surge occurs at the time of high tide...

British and U.S. Virgin Islands except St. Croix...7 to 11 ft
 Northern coast of Puerto Rico...4 to 6 ft
 Southern coast of Puerto Rico and St. Croix...2 to 4 ft

The deepest water will occur along the immediate coast in areas of onshore winds, where the surge will be accompanied by large and destructive waves. Surge-related flooding depends on the relative timing of the surge and the tidal cycle, and can vary greatly over

short distances. For information specific to your area, please see products issued by your local National Weather Service forecast office.

WIND: Hurricane conditions will continue today within the hurricane warning area in the Leeward Islands. Hurricane conditions are occurring over the British and U.S. Virgin Islands and will spread westward over portions of Puerto Rico later today. Hurricane conditions are expected to begin within the hurricane warning area in the Dominican Republic and Haiti on Thursday, with tropical storm conditions beginning tonight. Hurricane conditions are expected in the warning area in the southeastern Bahamas and the Turks and Caicos Islands beginning Thursday night.

Hurricane and tropical storm conditions are possible within the watch area in the central Bahamas and Cuba by Friday.

RAINFALL: Irma is expected to produce the following rain accumulations through Saturday:

Northern Leeward Islands...8 to 12 inches, isolated 20 inches
Northeast Puerto Rico and the British and U.S. Virgin Islands...4 to 10 inches, isolated 15 inches
Southwest Puerto Rico, the southern Leeward Islands, and Saint Croix...2 to 4 inches
Southeast Bahamas and Turks and Caicos...8 to 12 inches, isolated 20 inches
Northern Dominican Republic, northern Haiti, eastern and central Cuba...4 to 10 inches, isolated 15 inches
Southwest Haiti...1 to 4 inches

In all areas this rainfall may cause life-threatening flash floods and mudslides.

SURF: Swells generated by Irma will affect the northern Leeward Islands, Puerto Rico, the Virgin Islands, the southeastern Bahamas, the Turks and Caicos Islands, the northern coast of the Dominican Republic, and portions of the southeast coast of the United States during the next several days. These swells are likely to cause life-threatening surf and rip current conditions. Please consult products from your local weather office.

NEXT ADVISORY

Next complete advisory at 500 PM AST.

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Forecaster Brown

NNNN

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[Tropical Cyclone Advisories](#)
[Tropical Weather Outlook](#)
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MARINE FORECASTS

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SOCIAL MEDIA

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HURRICANE PREPAREDNESS

[Preparedness Guide \(PDF\)](#)
[Hurricane Hazards](#)
[Watches and Warnings](#)
[Marine Safety](#)
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[Weather-Ready Nation](#)
[Emergency Management Offices](#)

RESEARCH AND DEVELOPMENT

[NOAA Hurricane Research Division](#)
[Joint Hurricane Testbed](#)
[Hurricane Forecast Improvement Program](#)

OTHER RESOURCES

[Q & A with NHC](#)
[NHC/AOML Library Branch](#)
[NOAA: Hurricane FAQs](#)
[National Hurricane Operations Plan](#)
[WX4NHC Amateur Radio](#)

NWS FORECAST OFFICES

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WORLDWIDE TROPICAL CYCLONE CENTERS

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US Dept of Commerce
National Oceanic and Atmospheric Administration
National Hurricane Center
11691 SW 17th Street
Miami, FL, 33165
nhcwebmaster@noaa.gov

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Exhibit B

Press Release: Oversight Board Statement On Hurricane Irma



Financial Oversight and Management Board for Puerto Rico

PRESS RELEASE

For Immediate Release

OVERSIGHT BOARD STATEMENT ON HURRICANE IRMA

(San Juan, PR – September 6, 2017) – The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board” or the “Board”), created by Congress under the bipartisan Puerto Rico Oversight, Management and Economic Stability Act (“PROMESA”), released the following statement on Hurricane Irma.

“Our hope is that the residents of Puerto Rico remain safe during Hurricane Irma and that any damage to the Island from the storm is minimal,” said Natalie Jaresko, executive director of the Board.

“We are working closely with Governor Rosselló to coordinate support for Puerto Rico in the aftermath of the storm,” Jaresko added. “We have also reached out to the federal government to activate Title V of PROMESA, which allows the Board to work with agencies to accelerate the deployment of grants and loans following a disaster.

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